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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/827,870 | 04/06/2001 | John F. Acres | 4164-168 | 6066 |

7590 09/26/2003
MARGER JOHNSON & McCOLLOM, P.C.
1030 S.W. Morrison Street
Portland, OR 97205

EXAMINER

HARRISON, JESSICA

| ART UNIT | PAPER NUMBER |
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3714

DATE MAILED: 09/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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DATE MAILED:

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Commissioner for Patents

See attached letter.


Jessica J. Harrison
Primary Examiner
Art Unit: 3714

Response to Amendment

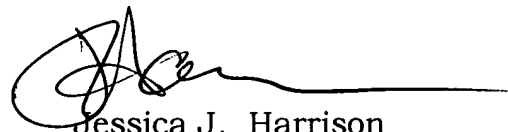
The reply filed on July 17, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's response to the prior office action was solely to request suspension of prosecution of the application (and possible declaration of interference) with US Patent 5,885,185 until the termination of the Reexamination proceeding said patent is involved with. However, a decision regarding a declaration of interference, or the question of suspension of prosecution herein, can not be made until this application is otherwise in condition for allowance. This application remains pending with outstanding obviousness-type double patenting rejections which have not been overcome by the filing of Terminal Disclaimers. Therefore, the outstanding office action has not been fully responded to, the application is not in condition for allowance and the request for suspension cannot be considered at this point. Applicant should submit appropriate Terminal Disclaimers, permission to cancel withdrawn claims, and a renewed request for suspension in response to this letter. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica J. Harrison whose telephone number is 703-308-2217. The examiner can normally be reached on 8 hour/M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

A handwritten signature in black ink, appearing to be 'J. Harrison', with a long horizontal line extending to the right.

Jessica J. Harrison
Primary Examiner
Art Unit 3714

jjh